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5 KISMET ACQUISITION, LLC
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8 UNITED STATES DISTRICT COURT
9 SOUTHERN DISTRICT OF CALIFORNIA
10

11 In re

12 JERRY LEE ICENHOWER dba Seaview
Properties, and DONNA LEE ICENHOWER,
13 Debtors.

14 ALEJANDRO DIAZ-BARBA AND MARTHA
15 MARGARITA BARBA DE LA TORRE,

16 Defendants/Appellants,

17 v.

18 KISMET ACQUISITION, LLC,

19 Plaintiff/Appellee.
20

Case No.: 3:08-CV-01446-BTM-BLM

Bankruptcy Case No. 03-11155-LA-7

Chapter Number 7

Adv. Proc. No: 04-90392

Adv. Proc. No: 06-90369

CERTIFICATE OF SERVICE

DATE: August 28, 2008

TIME 4:00 p.m.

DEPT: 15

JUDGE: Hon. Barry Ted Moskowitz

21 I, Terri L. Mayo, hereby declare as follows:

22 I am employed in the City and County of San Diego, California. I am over the age of 18
23 years and not a party to the within action. My business address is 12544 High Bluff Drive, Third
24 Floor, San Diego, CA 92130.

25 On August 22, 2008, via CM/ECF NOTICE OF ELECTRONIC FILING or on August 25th
26 via U.S. Mail, as indicated on the attached Service List, the following was served:

27 ///

28 ///

1 **1. OPPOSITION BY PLAINTIFF KISMET ACQUISITION, LLC TO MOTION**
2 **OF DEFENDANTS MARTHA BARBA AND ALEJANDRO DIAZ-BARBA FOR STAY OF**
3 **JUDGMENT PENDING APPEAL [FED. R. BANKR. PROC. 7062, 8005]; and**
4 **2. REQUEST FOR JUDICIAL NOTICE BY PLAINTIFF, KISMET**
5 **ACQUISITION, LLC, IN SUPPORT OF ITS OPPOSITION TO DIAZ DEFENDANTS'**
6 **MOTION FOR STAY PENDING APPEAL**

on the parties in this action by placing a true copy thereof in a sealed envelope(s), addressed as follows:

SEE ATTACHED SERVICE LIST

- 7 (BY U.S. MAIL) I placed each such sealed, prepaid envelope, for collection and mailing at
8 ☒ Baker & McKenzie LLP, San Diego, California, following ordinary business practices. I
9 am familiar with the practice of collection for U.S. mail, said practice being that in the
10 ordinary course of business, correspondence is picked up at our office the same day as it is
11 placed for collection. I am aware that on motion of the party served, service is presumed
12 invalid if postal cancellation date or postage meter date is more than one day after date of
13 deposit for mailing in affidavit.
- 14 (BY FEDERAL EXPRESS) I placed each such sealed envelope, to be collected at Baker &
15 ☐ McKenzie, San Diego, California, following ordinary business practices. I am familiar with
16 the practice of Baker & McKenzie for collection and processing of overnight packages, said
17 practice being that in the ordinary course of business, overnight packages are picked up by
18 a representative of that company to be sent that same day.
- 19 (BY FACSIMILE) Pursuant to agreement of counsel and California Rules of Court, Rule
20 ☐ 2006, I transmitted the above documents by facsimile to the referenced facsimile
21 number(s). The facsimile machine I used complied with Rule 2003 and no error was
22 reported by the machine. Pursuant to Rule 2006, I caused the machine to print a
23 transmission record of the transmission, a copy of which is attached to this declaration.
- 24 [BY ELECTRONIC MAIL ("E-MAIL") VIA PDF/ADOBE] I caused such documents to be
25 ☐ sent via e-mail to the below-listed names (as noted) and e-mail addresses and received
26 confirmation electronic receipts indicating that this document was successfully transmitted
27 to the parties named on the service list. *As indicated on service list with an e-mail address.*
- 28 ☒ [BY CM/ECF NOTICE OF ELECTRONIC FILING] I caused said document(s) to be served
by means of this Court's electronic transmission of the Notice of Electronic Filing through
the Courts transmission facilities, to the parties and/or counsel who are registered CM/ECF
Users set forth in the service list obtained from this Court.
- ☐ (BY PERSONAL SERVICE) I caused such documents to be delivered by hand to the
addressee as indicated on the service list, by First Legal Support Services, 1111 6th Avenue,
Suite 204, San Diego, CA 92101.

I declare under penalty of perjury under the laws of the United States of America that the
above is true and correct. Executed on August 25, 2008, at San Diego, California.


Terri L. Mayo

In re Jerry Lee Icenhower**USDC Case No. 3:08-CV-01446****Adversary Proceeding No. 04-90392-LA and 06-90369
Service List**

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